

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CATALINA DAVIS,)	
Plaintiff)	
)	
v.)	Civil Action number 05-30122-MAP
)	
CARABETTA,)	
Defendant)	

**AFFIDAVIT IN SUPPORT OF AWARD OF ATTORNEY'S FEES PURSUANT
TO DEFENDANT'S MOTION FOR SANCTIONS**

I, Ralph Carabetta, being deposed and sworn, state as follows:

1. The time spent preparing for deposition amounts to **2.7 hours** as follows:

Prepare subpoena and arrange service: **.5 hours**

Arrange Court Reporter: **.5 hours**

Teleconference with Plaintiff: **.2 hours**

Prepare for Deposition: **.5 hour**

Appear at Deposition: **1 hour**

2. Time preparing and filing Motions to Dismiss, for Sanctions, Certification, and Certificate of Service:

1.5 hours

3. I have been practicing law for twenty (20) years. I have tried hundreds of cases to verdict, first as an Assistant District Attorney in Suffolk County, Massachusetts and more recently as a sole practitioner.

4. I have particular knowledge of the present matter by virtue of defending against the Plaintiff on the same issues before the Massachusetts Commission Against Discrimination.

5. My typical fee in a case such as this would be at least \$250.00 per hour; however, I am retained in this matter at a reduced fee of \$200.00 per hour. Attorney's fees resulting from Plaintiff's failure to attend at own deposition therefore amount to \$840.00.

6. The 4.2 hours spent preparing for Deposition in this matter is fair and reasonable and reflects the minimum time required, even anticipating Plaintiff's failure to appear.

Signed under pains and penalties of perjury this 16th day of March, 2006.

Respectfully Submitted,

s/s Attorney Ralph Carabetta
364 Ocean Avenue
Revere, Massachusetts 02151
(781) 289-0000
BBO #550567